

FILED

APR 25 2025

UNITED STATES DISTRICT COURT  
FOR THE ~~EASTERN~~ DISTRICT OF NORTH CAROLINA  
~~EASTERN~~ DIVISION

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY [Signature] DEP CLK

Western  
SMW

CASE NO. 5:25-cv-00217-FL

REGINA SUZANNE HARMON and  
STETSON MANSFIELD WEBSTER,

PLAINTIFFS,

v.

TOWN OF WENDELL, MARVIN  
"MARC" COLLINS, in his individual and  
official capacity as Town Manager,  
GARRETT JOHNSON, in his individual and  
official capacity as Finance Director, MARY  
BETH TEW, in her individual and official  
capacity as Town Clerk, VIRGINIA GRAY,  
in her individual and official capacity as  
Mayor, JASON JOYNER, in his individual  
and official capacity as Commissioner,  
BRAXTON HONEYCUTT, in his individual  
and official capacity as Commissioner,  
JOHN "DEANS" EATMAN, in his  
individual and official capacity as  
Commissioner, JOSEPH "JOE" DELOACH,  
in his individual and official capacity as  
Commissioner, JONATHAN M. LUTZ, in  
his individual and official capacity as  
Commissioner,

DEFENDANTS.

AFFIDAVIT OF NONRESPONSE

We, the undersigned, Regina Suzanne Harmon and Stetson Mansfield Webster, being  
first duly sworn, hereby declare and affirm the following under penalty of perjury  
pursuant to 28 U.S.C. § 1746:

1. **On April 9, 2025**, we caused to be delivered to the Town of Wendell a formal  
legal demand letter addressed to Town officials and employees, requesting  
certified copies of public official surety bonds and executed oaths of office for the  
Mayor and all Commissioners of the Town of Wendell.

2. This demand letter was issued pursuant to the North Carolina Public Records Act, N.C. Gen. Stat. §§ 132-1 through 132-11, and other statutory provisions including N.C. Gen. Stat. § 128-5, § 58-72-10, §§ 11-1 through 11-9, and § 14-229.
3. The letter clearly stated that failure to respond or comply within three business days would constitute evidence of willful noncompliance and may be used in forthcoming federal litigation.
4. The records demanded included certified copies of all original and renewal surety bonds, oaths of office, meeting minutes documenting any approvals, and related documents for each Town official and employee listed in the April 9 demand.
5. The letter imposed a three (3) business day deadline, in accordance with the North Carolina Public Records Act, for production of the requested records, which passed without compliance.
6. **On April 14, 2025** the certified mailing record confirms that the Town of Wendell received the demand letter.
7. **On April 22, 2025**, Town Manager Marvin “Marc” Collins responded via email stating:

"Regina Harmon and Stetson Webster:  
I am in receipt of the request for public information. A  
response will be provided after reviewing."

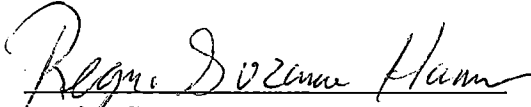
— Marvin “Marc” Collins, Town Manager, Town of  
Wendell, via email on April 22, 2025.

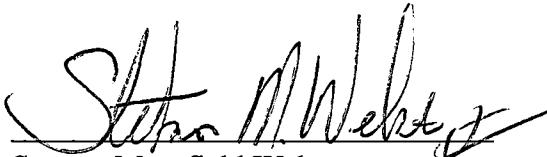
8. Based on the absence of response, we believe the Defendants are willfully refusing to comply with lawful mandates and concealing noncompliance with state law, confirming the need for judicial intervention.

We affirm that the foregoing is true and correct to the best of our knowledge, information, and belief, and submit this affidavit to establish a factual basis for judicial oversight.

FURTHER AFFIANT SAYETH NAUGHT.

**VERIFICATION**

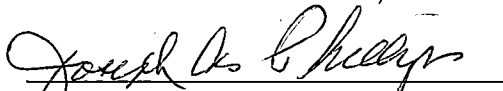
  
Regina Suzanne Harmon

  
Stetson Mansfield Webster

State of North Carolina

County of Wake

Subscribed and sworn to before me this 25<sup>th</sup> day of April, 2025.

  
Notary Public

My Commission Expires: 1-9-2027

